

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBBIN BANISTER,

Plaintiff,

vs.

No. CV 18-00755 KG/JHR

NADENE GRAGO,

Defendant.

ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)

THIS MATTER is before the Court on the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 filed by Plaintiff Robbin Banister (Doc. 2). Because the Court grants the application, the filing fee for this civil rights complaint is \$350.00. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). Plaintiff is still required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Failure to comply with this order may result in dismissal of the complaint without further notice.

IT IS THEREFORE ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 filed by Plaintiff Robbin Banister (Doc. 2) is **GRANTED** and the initial payment is **WAIVED**;

IT IS FURTHER ORDERED that Plaintiff file monthly financial certificates and make monthly payments of twenty percent (20%) of the preceding month's income credited to his account until the fee is paid or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.

A handwritten signature in black ink, appearing to read "J H R", is positioned above a horizontal line.

JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE